

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DANA LYNNE SMOLARZ,

Plaintiff,

Case No. 2:18-cv-11340

v.

Magistrate Judge Anthony P. Patti

NANCY A. BERRYHILL,

Defendant.

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**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT (DE 23), GRANTING DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT (DE 24) and AFFIRMING THE DECISION  
OF THE COMISSIONER OF SOCIAL SECURITY**

Plaintiff, Dana Lynne Smolarz, brings this action under 42 U.S.C. § 405(g) for review of a final decision of the Commissioner of Social Security (“Commissioner”) denying her applications for disability insurance and supplemental security income benefits. (DE 1.) Currently before the Court is Plaintiff’s motion for summary judgment (DE 23), the Commissioner’s cross-motion for summary judgment (DE 24), Plaintiff’s reply (DE 25), the Commissioner’s notice of supplemental authority (DE 28), and the administrative record (DE 20).

The parties have consented to my authority. (DE 18.) A hearing was noticed initially for May 15, 2019, and then re-noticed for May 21, 2019. (DEs 26,

29, 31) On that date, Plaintiff's counsel (attorney Edward A. Wicklund) and counsel for the Commissioner (AUSA Lisa G. Smoller) both appeared by telephone.

For the reasons stated on the record, Plaintiff's motion (DE 23) is **DENIED**, Defendant's motion (DE 24) is **GRANTED**, and the decision of the Commissioner of Social Security is **AFFIRMED**.

**IT IS SO ORDERED.**

Dated: May 21, 2019

s/*Anthony P. Patti*  
Anthony P. Patti  
UNITED STATES MAGISTRATE JUDGE

**Certificate of Service**

I hereby certify that a copy of the foregoing document was sent to parties of record on May 21, 2019, electronically and/or by U.S. Mail.

s/*Michael Williams*  
Case Manager for the  
Honorable Anthony P. Patti